

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

TROUT POINT LODGE, LIMITED,
A Nova Scotia Limited Company;
VAUGHN PERRET and
CHARLES LEARY,

Plaintiff, Civil Action No.: 1:12-CV-90LG-JMR

v.

DOUG K. HANDSHOE,

Defendant.

* * * * *

MOTION TO EXAMINE JUDGMENT DEBTOR

NOW INTO COURT, comes the undersigned Jack E. Truitt, attorney for defendant, Doug K. Handshoe, who respectfully represents that:

I.

Mover is the judgment creditor of debtors, Trout Point Lodge, Ltd., Vaughn Perret, and Charles Leary, in the amount of \$48,000 with interest thereon at the legal rate from date of judgment, as more fully set forth in the judgment appearing in the record, which has not been paid or satisfied. The time for appeal of this judgment has run and no appeal has been taken. A certified copy of the judgment is attached and incorporated as "Exhibit A."

II.

Mover desires to examine the judgment debtor on matters pertaining to the judgment debtor's property, pursuant to Miss. Code. Ann. § 13-1-261, et seq., to have the judgment debtors produce, in court, certain of their books, papers, and documents, which are in judgment debtors'

Ex. A

possession and which are material to this cause; and to examine the judgment debtors personally in relation to the above matters and documents, namely:

a. Monthly statements; passbooks; certificates of deposit; canceled checks; deposit and withdrawal receipts for any account at any bank, brokerage firm, homestead, or financial institution of any type which maintained an account in the name of the judgment debtor, individually or jointly with any other person, or any account against which the judgment debtor has or had the right to make withdrawals or sign checks.

b. Any financial statements prepared in the last 10 years, including statements prepared for lending agencies, etc.

c. Receipts, contracts, records, and other documents showing the ownership, sales, donations, mortgages, and other transfers of property owned by, purchased by, or sold by judgment debtor, including real estate, automobiles and other vehicles, furniture, and all other property owned by the judgment debtor.

d. Receipts for rent paid on judgment debtor's properties.

e. Receipts for payments of amounts owed by defendant on accounts, mortgages, notes, or other indebtedness.

f. Copies of income tax returns, both state and federal, of the judgment debtor for the last five years.

g. All records of earnings.

III.

All of the preceding items are limited to that period of time beginning January 1, 2016, and extending to the present date, including all documents previously made that were continuing in effect during that time.

IV.

By the above documents and examination, mover intends to prove that the judgment debtors own property subject to execution.

Wherefore, mover prays that mover have the privilege of examining records of Trout Point Lodge, Ltd., Vaughn Perret, and Charles Leary, judgment debtors, at a time and place to be fixed by this Court and that the judgment debtors be summoned and commanded to produce in court the papers and documents described above.

Respectfully submitted,

THE TRUITT LAW FIRM
A Limited Liability Company

s//Jack E. "Bobby" Truitt

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Counsel for defendant, Douglas K. Handshoe

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been duly served on all counsel of record by depositing same into the U.S. Mail, postage pre-paid, and/or by hand and/or by facsimile and/or by electronic means on August 17, 2016.

s//Jack E. "Bobby" Truitt
